

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

RAWHIDE FERTILIZER, LLC,)	
)	
Plaintiff,)	
)	
v.)	Case No. 8:17cv00013-JFB-MDN
)	
CONTINENTAL WESTERN INSURANCE)	
COMPANY,)	
)	
Defendant.)	

STIPULATION TO DISMISS WITH PREJUDICE

Plaintiff, Rawhide Fertilizer, LLC, (“Plaintiff”) and Defendant Continental Western Insurance Company (“Defendant”), by and through their respective undersigned counsel, hereby jointly stipulate, pursuant to F.R.C.P. 41(a)(1)(A)(ii), to dismiss this action and all claims that have been or that could have been asserted in this action, with prejudice, each party to assume and pay its respective attorney’s fees and costs. As grounds, Plaintiff and Defendant state the claims at issue between them have been compromised and settled to their mutual satisfaction and that a separate Settlement Agreement and Release has been executed for good and sufficient consideration.

WHEREFORE, the parties request that this matter hereby be dismissed with prejudice.

Respectfully submitted September 19, 2017.

**COUNSEL FOR PLAINTIFF RAWHIDE
FERTILIZER, LLC:**

s/David C. Mitchell

David C. Mitchell (NE #18133)
David G. Hartmann (NE #17315)
Yost, Schafersman, Lamme, Hillis, Mitchell,
Schulz & Hartmann, P.C.
81 West 5th
Fremont, NE 68025
402.721.6160
402.721.6198 fax
dcm@yostlawfirm.com
dhartmann@yostlawfirm.com

**COUNSEL FOR DEFENDANT
CONTINENTAL WESTERN INSURANCE
COMPANY:**

s/John R. Chase (pro hac vice)

s/Amanda C. Jokerst (pro hac vice)

Montgomery Amatuzio Chase Bell Jones LLP
4100 Mississippi Avenue, 16th Floor
Denver, CO 80246
(303) 592-6600
(303) 592-6666 fax
jchase@mac-legal.com;
ajokerst@mac-legal.com

and

s/Karen K. Bailey

Robert S. Keith, (NE #21023)
Karen K. Bailey (NE #22984)
Engles, Ketcham, Olson & Keith, P.C.
1350 Woodmen Tower
Omaha, NE 68102
402.348.0900
402.348.0904 fax
rkeith@ekoklaw.com
kbailey@ekoklaw.com

CERTIFICATE OF SERVICE

I hereby certify that on September 19, 2017, I had electronically filed the foregoing
STIPULATION TO DISMISS WITH PREJUDICE with the Clerk of Court using the
CM/ECF system, which will send notification of such filing to the following:

Counsel for Plaintiff:

David C. Mitchell
81 West 5th
Fremont, NE 68025

☐ Fax ☐ U.S. Mail ☐ E-mail ☒ online Justice System

s/John R. Chase

John R. Chase